

REMARKS

Applicant wishes to thank the Examiner for the detailed remarks. Claims 1, 4, 5, 11, and 12 have been amended. New claims 13-15 are presented. Accordingly, claims 1, 4-6, and 10-15 are pending.

Applicant respectfully submits that claims 1, 4 and 5 as amended are in proper condition according to §112.

Claims 11 and 12 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner argues that:

Based on the specification (¶20) the vehicle is considered stationery if it is traveling at less than 2 miles per hour for 3 seconds. Additionally, based on the specification, the algorithm is desensitized when the vehicle is considered stationery. As such, the 7 mile per hour for the predetermined time is not supported in the specification as originally filed.

Applicant respectfully traverses this rejection. Figure 2 illustrates that the vehicle is considered stationery even up to, for example, 7 miles per hour at the 2.5 second mark. That is, the band between 2 seconds and 7 seconds provides a delay threshold. Thus, claims 11 and 12 are proper under 35 U.S.C. §112, first paragraph. It should be further noted that other thresholds, times, and speeds will also benefit from Applicant's present invention.

Claims 1, 4, 5, and 10 were rejected under 35 U.S.C. §102(b) as being anticipated by *Okada* (6305709B1). Applicant respectfully traverses this rejection. *Okada* utilizes an acceleration sensor for detecting an acceleration applied to a vehicle as **a result** of a collision then utilizes an acceleration to speed converting means which inputs a speed into a crash state judging means for determining the type of collision based on the value of the speed signal from the acceleration to speed converting means. [See *Okada* claim 1.] That is, *Okada* only operates in response to an impact event. *Okada* even specifically discloses a threshold mode L'1 when the crash state judging means 46 judges that the speed signal is within the range between the speed levels 0 and V1 at the timing t2. [See Col. 7, lines 46-49.] This is a type of crash determination. [Col. 7, lines 57-64.] Under no proper interpretation may this type of crash

determination be interpreted as desensitizing a deployment algorithm decision threshold. In fact, *Okada* operates only after receiving a trigger signal from the triggering/resetting signal means 44. [Col. 7, lines 25-33.] *Okada* is therefore a control for how the airbag deploys – not whether the airbag deploys as recited and claimed by Applicant. Applicant respectfully requests reconsideration of this rejection.

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Okada* in view of *Drummond*. The Examiner relies on *Drummond* only for multiple satellite sensors. This fails to correct the deficiency of *Okada* discussed above and as such claim 6 is properly allowable.

Claims 11 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Okada*. The Examiner argues that the speed of 7 miles per hour (or 2 miles per hour) is just discovering of an optimum or workable range. Applicant respectfully traverses this rejection as Applicant does not simply claim a particular range, but a method of deployment discrimination which desensitizes a deployment algorithm decision threshold in response to whether the vehicle is traveling below a predetermined speed for a predetermined time. The claims are properly allowable.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,

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